JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

CHAIRMAN: Judge Wm. Terrell Hodges United States District Court Middle District of Florida

MEMBERS: Judge John F. Keenan United States District Court Southern District of New York

Judge Morey L. Sear United States District Court Eastern District of Louisiana

Judge Bruce M. Selva United States Court of Appeals First Circuit

Judge Julia Smith Gibbons United States District Court Western District of Tennessee

Judge D. Lowell Jensen United States District Court Northern District of California

Judge J. Frederick Motz United States District Court District of Maryland DIRECT REPLY TO:

Michael J. Beck Clerk of the Panel One Columbus Circle, NE Thurgood Marshall Federal Judiciary Building Room G-255, North Lobby Washington, D.C. 20002

Telephone: [202] 502-2800 Fax: [202] 502-2888

http://www.jpml.uscourts.gov

December 10, 2001

Bruce Rifkin, Clerk 2155 William Kenzo Nakamura U.S. Courthouse 1010 Fifth Avenue Seattle, WA 98104

FILED – LOOGED RECEIVED

Re: MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

Andrea S. Nutt, et al. v. Bayer Corp., W.D. Kentucky, C.A. No. 3:01-366

Dear Mr. Rifkin:

A conditional transfer order was filed in the above-captioned action on September 27, 2001. Prior to the expiration of the automatic fifteen-day stay, and, pursuant to Rule 7.4(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), opposition to the proposed transfer was filed and the conditional transfer order was stayed until further order of the Panel. A request for withdrawal of the previously-filed opposition to the proposed transfer has been received by this office and an order is being filed lifting the stay of the conditional transfer order and transferring the action to your district pursuant to 28 U.S.C. §1407. I am enclosing a certified copy of today's order lifting the stay.

A list of involved counsel is attached.

Very truly,

I hereby comain that she annexed instruments ic a true and correct copy of the original on file in my office. N ATTEST: BRUČE RIFKIN '

Michael J. Beck Clerk of the Panel

Clerk, U.S. District Courts stern District of Washington Western

Deputy Clerk

Deputy Clerk

By

Enclosures

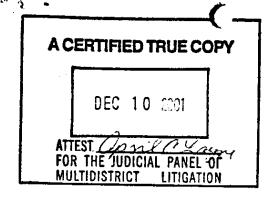
cc:

Transferee Judge: Hon. Barbara Jacobs Rothstein

Transferor Judge: Hon. Charles R. Simpson, III

Transferor Clerk: Jeffrey A. Apperson

JPML Form 69



JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

DEC 10 2001

FILED CLERK'S OFFICE

DOCKET NO. 1407

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Andrea S. Nutt, et al. v. Bayer Corp., W.D. Kentucky, C.A. No. 3:01-366

ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in this action (Nutt) on September 27, 2001. Prior to expiration of the mandatory fifteen-day stay of execution, plaintiffs in Nutt filed a notice of opposition to the proposed transfer and the subsequent motion and brief to vacate the conditional transfer order. Plaintiffs in Nutt have now advised the Panel that they withdraw their initial opposition to the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-2" filed on September 27, 2001, is LIFTED insofar as it relates to this action, and thus the action is transferred to the Western District of Washington for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. §1407 being conducted by the Honorable Barbara Jacobs Rothstein.

FOR THE PANEL:

Clerk of the Panel

I hereby certify that the annexed instruments is a true and correct copy of the original on file in my office.

ATTEST: BRUCE RIFKIN Clerk, U.S. District Court Western District of Washington

INVOLVED COUNSEL LIST DOCKET NO. 1407 IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Andrea S. Nutt, et al. v. Bayer Corp., W.D. Kentucky, C.A. No. 3:01-366

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UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON OFFICE OF THE CLERK

BRUCE RIFKIN CLERK

WILLIAM KENZO NAKAMURA U.S. COURTHOUSE, SUITE 215 SEATTLE, WASHINGTON 98104

December 17, 2001

Jeffrey A. Apperson, Clerk **US District Court** 106 Gene Snyder US Courthouse 601 W. Broadway Louisville, KY 4020

IN RE: MDL 1407 PHENLYPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION

Dear Clerk:

CT0-2

Enclosed is a certified copy of the Transfer Order - Order Lifting Stay of Conditional Transfer Order from GTO-3 entered by the Judicial Panel on Multidistrict Litigation. The Order became effective December 10, 2001. We have assigned an individual Western District of Washington (WAW) case number to your case to be transferred to us as listed below.

Please send us your file along with a certified copy of your docket entries. When you send your file, please refer to our case action number

Title of Case

Your Number

WAW Number

1. Andrea S. Nutt vs. Bayer Corp.

3:01-366

CV01 2042

Sincerely,

BRUCE RIFKIN, CLERK

Mary Duett, Deputy Clerk 206-553-4080 ext 2154